Mr. SPEAKER.—The question is :

"That the Mysore Legislature Salaries (Amendment) Bill, 1956 be passed."

The motion was adopted.

MYSORE STAMP (AMENDMENT) BILL, 1956.

1-30 P.M.

Sri H. M. CHANNABASAPPA (Minister for Agriculture).—
Sir, I beg to to move—

'That the Mysore Stamp (Amendment) Bill, 1956, be taken into consideration."

ಸ್ವಾಮಿ,

ಬಳ್ಳಾರಿ ಜಿಲ್ಲೆಯು 1953 ನೆ ಇಸವಿಯಲ್ಲಿ ನಮ್ಮ ಸಂಸ್ಥಾನದಲ್ಲಿ ವಿಲೀನವಾದಾಗ ನಮ್ಮಲ್ಲಿನ ಸ್ಟ್ಯಾಂಪ್‌ರೇಟ್ ಮದರಾಸಿನಲ್ಲಿನ ಸ್ಟ್ಯಾಂಪ್ ರೇಟಿಗೆ ಹೆಚ್ಚುಕಡಿಮೆ ಇತ್ತು. ಆಗ ಸ್ಟ್ಯಾಂಪ್ ರೇಟನ್ನು ಹೆಚ್ಚು ಮಾಡುವುದಕ್ಕೋಸ್ಕರ 1954 ನೆ ಇಸವಿಯಲ್ಲಿ ಒಂದು ತಿದ್ದುಪಡಿಯನ್ನು ತಂದು ಸ್ಟ್ಯಾಂಪ್ ರೇಟ್ ನಮೂದು ಮಾಡಿರುವ ಷೆಡ್ಯೂಲನ್ನು ಬದಲಾವಣೆ ಮಾಡಲಾಯಿತು. ಷೆಡ್ಯೂಲ್ ಬದಲಾವಣೆ ಮಾಡಿದ ಕಾಲದಲ್ಲಿ ಕೆಲವು consequential ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡಲಿಲ್ಲ. ಆದುದರಿಂದ ಸೆಕ್ಷನ್ 11, 32, 35, 40, 41 ಇವುಗಳಲ್ಲಿ ಪರಿಣಾಮಕಾರಿಯಾದ ಬದಲಾವಣೆಗಳನ್ನು ಮಾಡಬೇಕಾಯಿತು. ಇದು ನಮ್ಮ ಗಮನಕ್ಕೆ ಬಂದಮೇಲೆ ಆ ತಿದ್ದುಪಡಿಗಳನ್ನು ನೂಚನೆ ಮಾಡಲಾಗಿದೆ.

It is merely a consequential amendment that became necessary as a result of the legislation that was passed by this Hon'ble House in the year 1954. I do not think I need take more time of the House in going into details at this stage, except to say that they are merely consequential in nature and I request the approval of the House. With these words, I request that the Bill be taken into consideration.

Mr. SPEAKER.—Motion moved :

That the Mysore Stamp Amendment Bill, 1956, be taken into consideration.

ಶ್ರೀ ಬಿ. ಹುಚ್ಚೇಗೌಡ (ತುರುವೇಕೆರೆ).—ಸ್ವಾಮಿ, ಈ ಮಸೂದೆಯನ್ನು ನಾನು ವಿರೋಧಿಸುತ್ತೇನೆ. ಹಿಂದೆ ತಿದ್ದುಪಡಿ ಮಸೂದೆಯನ್ನು ಆತುರಾತುರವಾಗಿ ತಂದು ಪಾಸ್ ಮಾಡಿಸಿದರು. ಅದರ ಬಿಸಿ ಈಗ ನಮಗೆ ಪೂರಾ ತಟ್ಟಿದೆ. ಒಂದಕ್ಕೆರಡರಷ್ಟು ಎಂದರೆ, ಯಾವ ಮಸೂದೆಯಲ್ಲೇ ಆಗಲಿ, ಯಾವ taxation ಮಸೂದೆಯಲ್ಲೇ ಆಗಲಿ ಇಷ್ಟು ದುಬಾರಿಯಾಗಿರುವುದಕ್ಕೆ ಕಾರಣವಿಲ್ಲ. ನೂರಕ್ಕೆ ನೂರರಷ್ಟು ಹೆಚ್ಚು ಮಾಡಿದರೆ ಕೊಡುವವರಿಗೆ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಯಾಕೆಂದರೆ ನೂರು ರೂಪಾಯಿಗಳ ವ್ಯವಹಾರಕ್ಕೆ ಸುಮಾರು ಹತ್ತು ರೂಪಾಯಿಗಳು ಖರ್ಚಾಗುತ್ತವೆ. ಸಣ್ಣ ಸಣ್ಣ ವ್ಯವಹಾರಗಳಲ್ಲ ತೊಡಗುವ ಬಡವರಿಗೆ ಇದರಿಂದ ಬಹಳ ಕಷ್ಟವಾಗುತ್ತದೆ. ಬಡವರು ಹಾಕಬೇಕಾದ ಕಡಿಮೆ ಮೌಲ್ಯದ ಸ್ಟ್ಯಾಂಪನ್ನೂ ಹೆಚ್ಚು ಮಾಡಿರುವುದರಿಂದ ಬಹಳ ತೊಂದರೆಯಾಗಿದೆ. ಒಂದು ರೂಪಾಯಿಗೆ ಮೇಲ್ಪಟ್ಟು ಸ್ಟ್ಯಾಂಪುಗಳನ್ನು ಹೆಚ್ಚು ಮಾಡಿದ್ದರೆ ಅಷ್ಟಾಗಿ ಇದನ್ನು ನಾವು ಟೀಕಿಸುತ್ತಿರಲಿಲ್ಲ. ಇದರಿಂದ ಬಡಬಗ್ಗರಿಗೆ ತೀವ್ರವಾದ ತೊಂದರೆಯಾಗಿದೆ ಯೆಂದು ಹೇಳುತ್ತೇನೆ. ಹತ್ತು ವ್ಯವಹಾರಗಳು ನಡೆಯುವುದರಲ್ಲಿ ಸ್ವತ್ತಿನ ಬೆಲೆಗೆ ಸರಿಸಮಾನವಾದ ಹಣ ಸರ್ಕಾರದ ಖಜಾನೆಗೆ ಸೇರುತ್ತದೆ. ಆದುದರಿಂದ ಸರ್ಕಾರದವರು ಈಗಲಾದರೂ ಸ್ಟ್ಯಾಂಪುಗಳ ದರದಲ್ಲಿ ಸ್ವಲ್ಪಮಟ್ಟಿಗೆ ಕಡಿಮೆ ಮಾಡಬೇಕು. ಒಂದು ರೂಪಾಯಿಗೊಳಪಟ್ಟದ್ದಕ್ಕೆ ಕಡಿಮೆಮಾಡಿ, ಹೆಚ್ಚಿಸಿರುವ ದರಗಳು ಒಂದು ರೂಪಾಯಿಗೆ ಮೇಲ್ಪಟ್ಟುದಕ್ಕೆ ಅನ್ವಯಿಸುವ ಹಾಗೆ ಮಾಡಿದರೆ ಜನರಿಗೆ ಸ್ವಲ್ಪಮಟ್ಟಿಗೆ ಸಹಾಯವಾಗುತ್ತದೆ. ಈಗಿರುವ ದರಗಳು ಬಹಳ ಜಾಸ್ತಿಯಾಗಿರುವುದರಿಂದ ಬಡವರಿಗೆ ತೊಂದರೆಯಾಗಿದೆ. ಈ ಕಾರಣಗಳಿಗಾಗಿ ನಾನು ಈ ಮಸೂದೆಯನ್ನು ವಿರೋಧಿಸುತ್ತೇನೆ.

Sri S. SRINIVASA IYENGAR (T. Narasipur).—Sir, I oppose this Bill. By clause 2, the Government seek to amend section 11 of the Mysore Act of 1900.

That section 11 reads as follows— :

"11. The following instruments may be stamped with adhesive stamps, namely :—

(*a*) instruments chargeable with the duty of one anna or half-an-anna except parts of bills of exchange payable otherwise than on demand and drawn in sets"

Now Sir, the amendment runs as follows :

"In clause (a) of section 11 of the Mysore Stamp Act, 1900 (hereinafter referred to as the Principal Act) for the words "one anna or half-an-anna" the words "one-and-a-half-annas, one anna or half-an-anna" shall be substituted."

Sir, this in fact amounts to the introduction of a new structure of levy of stamp duty and it brings in revenue to Government and Government should have furnished along with the Bill a financial memorandum. The Hon'ble

(SRI S. SRINIVASA IYENGAR)

Minister said that there was already a particular rate structure in Bellary and therefore they had introduced it and nothing prevented the levy of that rate throughout the State of Mysore. So, a new rate of one and a half annas is sought to be introduced by this clause. It is in fact a levy of a new tax and we should know to what extent it brings revenue and why the Government have sought to introduce it. It is a very heavy burden. By this clause they have not only retained the existing structure of one anna or half-an-anna but also added a new item of one and a half-annas.

Sri H. M. CHANNABASAPPA.—A little clarification will probably help discussion.

Sri S. SRINIVASA IYENGAR.—In that case, I would like to know the section where 1½ annas is prescribed.

Sri H. M. CHANNABASAPPA.—That is exactly the point. There is no provision for that and we seek to introduce 1½ annas here.

Sri S. SRINIVASA IYENGAR.—My question is, under the Stamp Act there is no provision for the levy of 1½ annas for any instrument.

Sri H. M. CHANNABASAPPA.—Please see the Schedule I, Page 284 of the Stamp Act.

Sri S. SRINIVASA IYENGAR.—Well, Sir, the second objection is this. Clauses 3,4,5 and 6 seek to introduce not only a new structure but also the enhancement of the existing stamp duty. Subsection (3) of Section 32 of the Stamp Act reads as follows:

> "Any instrument upon which an endorsement has been made under this section shall be deemed to be duly stamped or not chargeable with duty, as the case may be; and, if chargeable with duty, shall be receivable in evidence or otherwise, and may be acted upon and registered as if it had been orginally duly stamped."

This is the relevant provision wherein the Bill seeks to effect a change.

Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Sir, a little clarification will remove the confusion. The rates have been levied as per schedule and the schedule has been revised already. The body of the Act is left unamended. In order to amend that lacuna, we are seeking to bring this amendment to amend the body of the Act.

Sri S. SRINIVASA IYENGAR.—Then, I would like to know why Government did not amend the body of the Act when they amended the schedule?

Sri H. M. CHANNABASAPPA.—During my speech I made it very clear that by over-sight the body of the Act was not amended. This is only a consequential amendment.

Sri S. SRINIVASA IYENGAR..—It is not consequential, but to regularise an omission.

***Sri K. PATTABHIRAMAN** (Kolar).—On a point of information. If in the body of the Act an amendment, either by oversight or otherwise, has not been made, would it be in order to amend the schedule and give effect to it?

Sri H. M. CHANNABASAPPA.—We are only incorporating such consequential amendments in the body as are necessary and are in conformity with the clause.

Sri K. PATTABHIRAMAN.—I think I am not correctly understood. If you do not amend the Act and merely amend the schedule without amending the Act, would you be in order?

Sri A. G. RAMACHANDRA RAO.—The conflict alleged has not come up in the form of an issue before the Government; so, we are happy.

Mr. SPEAKER.—The question is:

> "That the Mysore Stamp (Amendment) Bill, 1956, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—Now clauses. Clauses 3,4,5,6. The question is:

> "That clauses 3,4,5 and 6 stand part of the Bill."

The motion was adopted.

Clauses 3 to 6, both inclusive, were added to the Bill.

Mr. SPEAKER.—Clause 1, Title and Preamble. The question is :

"That Clause 1, the Title and the Preamble stand part of the Bill.

The motion was adopted.

Clause 1, the Title and the Preamble were added to the Bill.

Motion to pass.

Sri H. M. CHANNABASAPPA (Minister for Revenue and Agriculture).—I beg to move :

"That the Mysore Stamp (Amendment) Bill, 1956, be passed"

Mr. SPEAKER.—The question is :

"That the Mysore Stamp (Amendment) Bill, 1956, be passed"

The motion was adopted.

MYSORE REGISTRAR-GENERAL OF BIRTHS, DEATHS AND MARRIAGES BILL, 1956.

Motion to consider

*Sri A. G. RAMACHANDRA RAO (Minister for Law and Education).—Sir, I beg to move :

"That the Mysore Registrar-General of Births, Deaths and Marriages Bill, 1956, be taken into consideration."

Sir, this is a very simple measure. Consequent on the introduction of the Indian Christian Marriage Act, the Parsi Marriage and Divorce Act and the Specia Marriage Act coming into force in the State of Mysore, Marriage Registrars appointed in this State for the purposes of these acts are required to furnish certain information under the said Acts to the Registrar-General appointed under the Births, Deaths and Marriages Registration Act, This Act, namely, the Births, Deaths and Marriages Registration Act 1886 is a Central Act. That Act has not been introduced in Mysore State. Therefore, while, the Marriages Acts which I described just at present have come into force, the corresponding officer, namely, the Registrar-General cannot be appointed as the Act which empowers the State to appoint the officer has not been introduced. We moved the Central Government to extend that Act also because it comes under the concurrent jurisdiction. The Central Government advised to put this before this Legislature and get the necessary powers for the purpose. This will enable the Government to appoint the Registrar-General of Births, Deaths and Marriages and also supply to necessary statistical information. Hence this measure.

This measure will cost the appointment of a Registrar-General and a Deputy Registrar-General with a small staff. The total amount expected to be allotted would be about 5,000. With these few remarks, I submit that this may be taken into consideration.

Mr. SPEAKER.—You may get a little income also.

Sri A. G. RAMACHANDRA RAO.—In this case no fee is levied except in the case of marriages ; we expect some income also.

Sri S. SRINIVASA IYENGAR (T.-Narasipur).—Sir,you have already referred to the point which I wanted to do, that is, about the income. I wanted some clarification: I would like to know how it has been done in Part A States.

Sri A. G. RAMACHANDRA RAO.—In Part A States, these enactments, including the legislation of these, are in force. Only in Mysore the first four Acts were extended by the Central Government and regarding the last, they said : "Pass your own legislation.' Hence this measure.

Mr. SPEAKER.—The question is :

"That the Mysore Registrar-General of Births, Deaths and Marriages Bill, 1956, be taken into consideration."

The motion was adopted.

Mr. SPEAKER.—Now the clauses. The question is:

"That Clauses 2 to 10, both inclusive, stand part of the Bill."

The motion was adopted.